



# Department of Defense

## DIRECTIVE

December 24, 1984  
NUMBER 5210.48

SUBJECT: DoD Polygraph Program

USD (P)

- References :
- (a) DoD Directive 5210.48, "Polygraph Examinations and Examiners," October 10, 1975 (hereby canceled)
  - (b) DoD 5025.1-M, "DoD Directives System Procedures," April 1981, authorized by DoD Directive 5025.1, "Department of Defense Directives" System," October 16, 1980
  - (c) DoD Directive 5400.11, "Department of Defense Privacy Program," June 5, 1982
  - (d) Title 10, United States Code, Sections 801-940, Uniform Code of Military Justice, Article 31.b.
  - (e) Executive Order 12356, "National Security Information," April 2, 1982
  - (f) DoD 5200.1-R, "Information Security Program Regulation," August 1982, authorized by DoD Directive 5200.1, "DoD Information Security Program," June 7, 1982

### A. REISSUANCE AND PURPOSE

#### This Directive:

1. Reissues reference (a) to update policy governing the use of the polygraph within the Department of Defense, including the selection, training, and supervision of polygraph examiners; the procurement and testing of equipment; and the reporting of data related to polygraph activities.
2. Authorizes the issuance of DoD 5210.48-R, "DoD Polygraph Program," consistent with reference (b).

### B. APPLICABILITY AND SCOPE

1. This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to collectively as "DoD Components").
2. It applies to DoD polygraph examinations that involve DoD contractor personnel and other persons who are affiliated with the Department of Defense.

assignment or detail to critical intelligence positions in the Defense Intelligence Agency, or employment in and assignment or detail to the National Security Agency; (NSA), who refuse to take a polygraph examination shall not be selected or assigned.

8. Persons who refuse to take a polygraph examination in connection with determining their continued eligibility for access to specifically designated information in special access programs, in accordance with paragraph D.12.b. , below, to include incumbents of positions subsequently determined to require such access, may be denied access to the classified information in question, provided, however; that, with the" exception of the NSA, the DoD Component" concerned shall ensure that such person is retained in a position of equal pay and grade that does not require such access, or arrange like employment for such individual at another DoD Component.

9. When deception is indicated by the examiner's interpretation of polygraph charts in polygraph examinations conducted under the provisions of paragraphs D.12.b. and D.13.c. , below, indepth interview of the subject will be undertaken by the examiner, immediately following the running of the chart, to resolve any indication of deception. If an indication of deception cannot be resolved through such means, the subject will be so advised and the results of the examination forwarded to the requesting agency. If, after reviewing the polygraph examination results, the requesting agency determines that they raise significant question relevant to the subject's clearance or access status, the subject shall be given an opportunity to undergo additional examination by the examining agency, using the same or a different examiner. If such additional examination is not sufficient to resolve the matter, a comprehensive investigation of the subject shall be undertaken, utilizing the results of the polygraph examination as an investigative lead. If such investigation develops no derogatory information upon which an adverse action independently may be based, no such action shall be permitted, unless approved by an authority designated in subsection G.1., below, in specific cases, based upon his or her written finding that the information in question is of such extreme sensitivity that access under the circumstances poses an unacceptable risk to the national security.

10. Adverse action shall not be taken against a person for refusal to take a polygraph examination in criminal or unauthorized disclosure cases.

11. A refusal to consent to a polygraph examination shall not be recorded in the person's personnel file or any investigative file, nor shall a person's supervisor, and in the case of a contractor employee, the person's employer, be informed of the refusal, unless such actions are necessary in support of action to be taken under the provisions of subsection D.8., above. Refusal to take a polygraph examination shall be given the full privacy protection provided for in DoD Directive 5400.11 (reference (c)).

12. Polygraph examinations may be authorized only for the following purposes:

a. To supplement the investigation of a crime involving an offense punishable under Federal law, including the Uniform Code of Military" Justice (reference (d)), by death or confinement for a term of 1 year or more.

13. Polygraph examinations shall be required on an interim and aperiodic basis for:

a. DoD civilian, military, contractor, and General Service Administration personnel, to assist in determining their eligibility for initial or continued employment, assignment, or detail for duty with the NSA in activities that require access to sensitive cryptologic information, or to spaces where sensitive cryptologic information is produced, processed, or stored. When military personnel are assigned or detailed for duty with NSA, the scope of such examinations shall be limited to the counterintelligence topics prescribed in Appendix B of DoD 5210.48-R.

b. DoD civilian and military personnel, to assist in determining their eligibility for assignment or detail to the Central Intelligence Agency (CIA) in positions where polygraph examinations are required by the CIA; or

c. DoD civilian, military, and contractor personnel, to assist in determining their eligibility for employment with or assignment to the Defense Intelligence Agency (DIA) in positions that have been designated by the Director, DIA, as critical intelligence positions, provided that the scope of such examinations shall be limited to the counterintelligence topics prescribed in Appendix B of DoD 5210.48-R.

E. RESPONSIBILITIES

1. The Deputy Under Secretary of Defense for Policy shall have overall responsibility for the DoD Polygraph Program, and shall:

a. Establish policies and procedures for the DoD Polygraph Program.

b. Approve use of the polygraph pursuant to paragraph D.12.b. , above, and monitor such use as may be appropriate to ensure compliance with this Directive.

c. Coordinate with the Inspector General, Department of Defense (IG, DoD), all matters concerning use of the polygraph in connection with the investigation of criminal offenses.

d. Issue and maintain DoD 5210.48-R consistent with the provisions of DoD 5025.1-M (reference (b)).

e. Conduct an active oversight program to ensure compliance with the requirements of the DoD Polygraph Program.

f. Authorize use of the polygraph within the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, and Defense Agencies other than those identified in subsection E.3., below, and when use of the polygraph is contemplated for more than one DoD Component.

g. Ensure through appropriate means that the number of persons to whom polygraph examinations are administered pursuant to subsections D.8. and 9.; paragraphs D.12.b. , e., and g; and paragraph D.13.c. does not exceed 3,500.

are the only DoD officials whose activities are authorized to conduct polygraph examinations, acquire or possess polygraph equipment, or to have polygraph examiners.

4. Heads of DoD Components that do not have a polygraph capability, or their designees, may request polygraph support from activities identified in subsection E.3. Such requests shall substantiate that the requested polygraph examination is consistent with the provisions of this Directive and DoD 5210.48-R.

5. The Secretary of the Army, or his designee, shall establish and manage training programs for DoD polygraph examiners, except that the Director, NSA/Chief, CSS, may approve alternative courses for training of NSA/CSS polygraph examiners. Any other training programs must be approved by the DUSD(P).

F. APPEALS

Adverse actions taken as a consequence of Procedures authorized by this Directive and DoD 5210.48-R are appealable in accordance with applicable personnel or security appeals procedures.

G. WAIVERS AND EXCEPTIONS

1. Exceptions under the provisions of subsection D.9. must be personally approved by one of the Secretaries of the Military Departments or the Director, NSA, for their respective components, or the Secretary or Deputy Secretary of Defense for other DoD Components.

2. Except as provided in subsection G.I., above, the DUSD(P), or his designee, the Director, Counterintelligence and Investigative Programs, Office of the DUSD(P), are the only officials authorized to approve waivers or exceptions to the provisions of this Directive or DoD 5210.48-R.

H. INFORMATION REQUIREMENTS

The reporting requirement in paragraph E.3.c. has been assigned Reports Control Symbol DD-POL(SA)1361. For the purposes of this requirement, a polygraph examination is considered to have occurred when at least one of the testing phases defined in DoD 5210.48-R has been initiated.